

11, 2006

(A) The meeting was called to order by the Vice-Chairman, Ed Ladouceur, at 12:35 PM.

(B) Approval of the agenda and order of business was accepted on a motion by Mr. Gianlorenzo and seconded by Mr. Caldwell.

(C) The minutes of the 205th meeting were approved on a motion by Mr. Salisbury and seconded by Mr. Gianlorenzo.

(D) Court Case Update: September 2006

DEFENDANT FINES RESTITUTION DATE CLAIMANT

Boillard 75 - 01/06

Camilo 750 4,350 01/06 Aquino

Cannone 300 01/06 Domenech

Cagle 1,500 01/06 Sowa

Giorgio 210 01/06 Benton

Giorgio 102 01/06 Marzzone

Giorgio 92 01/06 Perez

Johnson 1,000 2,000 01/06 Mulhern

Lombardi 250 - 01/06

McLean 600 01/06 DeBenedetto

Valenti 150 01/06 Imondi

Aceto 1,500 02/06

Andoscia 1,500 895 02/06 Tamayo

Boillard 75 02/06
Bonner 50 02/06
Cantara 1,500 02/06
Debaene 6,050 02/06 Quadrato
Giorgio 200 02/06 Benton
Giorgio 70 02/06 Perez
Giorgio 111 02/06 Mazzone
Mikhail 500 02/06
Rainville 1,000 02/06
Santana 250 02/06
Smith 6,500 02/06 Martin
Souza 150 1,250 02/06 Pietkiewicz
Valenti 300 02/06 Imondi
Valletta 200
Dragon 500
Giorgio 52 03/06 Mazzone
Giorgio 105 03/06 Benton
Giorgio 45 03/06 Perez
Hart 250
Sarault 100
Valenti 150 03/06 Imondi
Ballou 3,000 3,000 03/06 Desilets
Perreault 1,500
Perreault 500
Perreault 500
Perreault 325 03/06 Gagnon

Perreault 500 525 03/06 Vinacco
Perreault 1,750 1.575 03/06 Kociuba
Perreault 2,000 3,875 03/06 Petrucelli
Walsh 500 10,000 03/06 Cineus
Boillard 150 04/06
Crenca 4,000 04/06 Ferri
Dozois 2,225 04/06 Grossman
Dozois 1,025 04/06 Young
Dozois 2,025 04/06 DeShaies
Hart 250 04/06
Marchese 2,752.14 04/06 DiManna
Souza 250 1,800 04/06 Cardi
Sarault 100
Tallo 500
Anderson 500 5,000 05/06 Harten
Bonner 50
Decristofaro 150 3,000 05/06 Johnson
Mercurio 250 05/06 Melino
Romanelli 675 05/06 Rusak
Romanelli 1,265 05/06 DiBiasio
Romanelli 2,035 05/06 Kochilas
Russo 50 05/06 Clough
Sarault 100 05/06 Rook
Valenti 150 05/06 Imondi
Smith 2,500 1,225 05/06 Mueller
Smith 2,500 1,700 05/06 McCormick

Smith 3,000 13,500 05/06 DiSpigno

Smith 2,500 3,592 05/06 Anderson

Smith 2,500 3,125 05/06 Bednarick

Smith 1,000 05/06

Smith 500 05/06

Hinsley 500 06/06

Merritt 500 06/06 DelSignore

McKeon 13,500 06/06

Mercurio 250 06/06

Petrucci 500 06/06

Russo 100 06/06 Clough

Sarault 100 06/06 Rook

Valenti 150 06/06 Imondi

DeJesus 300 350 06/06 Oni

Eastwood 500 06/06

Felder 1,500 2,350 06/06 Cartier

Lancellota 500 06/06

McKeon 500 2,500 06/06 Reilly

Willard 1,100 06/06 Partington

Bonner 2,000 07/06 DeTora

Hinsley 500 07/06

Mercurio 250 07/06

Russo 100 07/06 Clough

Tomaselli 550 07/06 Gainor

Correia 1,750 525 07/06 Russell

250 07/06

Elek 250 07/06

Merolli 500 07/06

1000 3,500 07/06 Diano

Valcourt 2000 5000 07/06 Badessa

Gonsalves 2,500

2,500

2,500

2,500

1,485 08/06 Carter

3,500 08/06 Hoeung

12.450 08/06 White

4,500 08/06 Weeks

800 08/06 Barnola

2,300 08/06 Reyes

1,400 08/06 Palumbo

2,400 08/06 Harris

870 08/06 Laplante

3,200 08/06 Salvadore

3,400 08/06 Longabard

Andrews 1,500 3,000 08/06 Bowman

500

Vigeant 500

Mercurio 250

Petrucci 250

Russo 100 08/06 Clough

Sarault 100 08/06 Rook

Tommaselli 750 08/06 Gainor

Valenti 150 08/06 Immondi

Vieira 2,550 08/06 Short

Chaves 200 09/06 Alexander

Giorgio 105 09/06 Benton

45 09/06 Perez

55 09/06 Mazzone

Gomes 2,000 09/06 Quinn

Hauswirth 4,540 09/06 Vallarine

Petrucci 250 09/06

Rebello 250 09/06 Hoitt

Russo 100 09/06 Clough

Sarault 100 09/06 Rook

Oliver 5,000 09/06 Jardon

Willard 1,000

- **2nd warrant sweep, (2 for 2) Tomiselli & DeFault both picked up!**

TOTAL: \$76,650 \$148,121.14

TOTAL FINES & RESTITUTION: \$224,771.14

(E) Consideration of Cases on Appeal and Oral Argument:

(1) 12:40 PM, claim #5656, Aldo Ricaldy vs. Carlos Privitera, exceptions filed by the respondent. After notice and opportunity both parties were in attendance. Exceptions were put forth by the respondent, who brought another contractor with him to testify.

Because it would have been new evidence the Board did not allow this contractor to testify. The respondent presented his case to the Board and the claimant stated he was satisfied with the decision rendered by the Board. The Board on a motion by Mr. Gianlorenzo and seconded by Mr. Furey unanimously upheld the decision rendered by the commission;

(2) 01:00 PM, claim#5459, David Viveiros vs. Neil Silvio, exceptions filed by the respondent. Both parties were in attendance and the Board listened to exceptions. In reviewing the file and listening to testimony a motion was made by Mr. Gianlorenzo and seconded by Mr. Caldwell to uphold the decision rendered by the hearing officer, the matter passed unanimously;

(3) 01:20 PM, claim #5673, Robert Guiliano vs. Philip Garofano, exceptions filed by the respondent. Both parties were in attendance and presented testimony regarding the pool liner and their concerns. After review of the file and pictures provided at the hearing, the Board asked questions from the testimony provided and a motion was made by Mr. Ladouceur and seconded by Mr. Gianlorenzo to modify the decision of the hearing officer by having the respondent reimburse the claimant the amount of \$1,300. This figure was derived by the cost of \$1,400 for liner, \$1,050 for installation and \$175 for one truck of water that was submitted at the hearing, for a total of \$2,625 split and rounded to \$1,300. The Board felt that some of the burden was the claimants. The motion carried with Mr. Salisbury and Mr. Cardoza voting in opposition of the motion. Fines would not be imposed if payment was received by the claimant within thirty (30) days;

(4) 01:40 PM, claim #5687, Gerald Knoff vs. Leonard Stasiukiewicz, exceptions filed by the respondent. The parties, represented by counsel, requested some time to discuss this matter further before presenting the case to the Board; granted. After over a hour of discussion they returned to present their progress. The Board after review of the record of the case and testimony provided by both parties, elected to modify the decision of the hearing officer on a motion by Mr. Ladouceur and seconded by Mr. Gianlorenzo to the terms stipulated by both parties that the respondent is to pay the claimant the amount of \$18,000 which will be made in payments of \$1,500 per month for (12) consecutive months starting on 11/12/06. Additionally, signed lien releases are required from all subcontractors and suppliers who performed or provided materials for this job. Releases are to be provided by 11/12.06. Fines would be reduced to \$1,000 unless any payments were not timely received, in that case full payment would be due immediately and fines in the amount of \$27,000 would be imposed and registration #8130 would be suspended until such time as this order is fulfilled; motion passed unanimously;

(5) 02:00 PM, registration #21383, Michael Iarossi, KMI, LLC, review of status and advise on action to be taken. Mr. Iarossi was represented by counsel who provided the Board with a release regarding payments he was making to another claimant as agreed to as a result of a bankruptcy filing. The original conditions set forth by the Board established review periods and limits to contracts which can be entered into by the contractor. Another copy of those conditions will

be provided and also the contractors continuing education requirements are necessary. Contractor to also to provide a new insurance policy to the Board. Further reviews will continue until agreed upon terms expire in February 2007.

(F) Report of the Executive Director:

(1) Statistics Report: 10/11/06

Registrations:

Number of Registered Contractors	12454	
Number of Cards Surrendered	3552	Number of Cards
/ExpiredLapsed	11858	
Number of Cards Invalidated	423	
Number of Cards Suspended	340	
Number of Cards Revoked	43	

Registration Actions 10/11/06

Number of New Registered Contractors	134
Number of Renewed Contractors	12320
Number of Cards Surrendered	26
Registrations Invalidated	9
Registrations Suspended	7
Registrations Revoked	2

Claims: 10/11/06

Administrative Appeals	3
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Board Appeals	6	
Address Trace	52	
Awaiting Further Action		54
Court		250
Disposed		4810
Final Orders	103	
Hearings	59	
Out of State Services	45	Proposed Orders 15
Under Investigation		204
Total Claims Filed with the Board		5601

Number of New Claims 76 9/13/06 –
10/11/06

Violations:

Action Against Registration	18	
Non-Registered Subcontractors		4
Cancelled Insurance		686
Notice of Hearing	3	
Non-Registered Contractors		588

TOTAL RECORDS 1299

Number of New Violations 19

(9/13/06 – 10/11/06)

Lapsed Registrations/Never Re-Newed:

September 2005	128
October 2005	136
November 2005	88
December 2005	102
January 2006	119
February 2006	116
March 2006	172
April 2006	158
May 2006	173
June 2006	156
July 2006	156
August 2006	155
September 2006	127

Tickets: #'s Fines

2006

January	0	\$0
February	0	\$0
March	0	\$0
April	0	\$0
May	3	\$750
June	1	\$250

July 9 \$2,750

August 2 \$500

Commercial Roofers: 10/11/06

Number registered 113

Number expired/lapsed 16

Number surrendered 11

Number invalidated 0

Number suspended 0

Number revoked 0

Pending Approval 0

Registration Actions 10/11/06

Number of New Registered Contractors 0

Number of Renewed Contractors 0

Number of Cards Surrendered 0

Number of Expired/Lapsed 0

Registrations Invalidated 0

Registrations Suspended 0

Registrations Revoked 0

- **Due to time constraints, in that the appeals were not completed until 3:50 PM, several of the members were unable to stay further and no quorum was present to discuss old business or new business.**

(G) Old Business: All items put on next months calendar:

(H) New Business: All items tabled until next meeting:

(I) Public Comment: None

**(J) Announcements: The next Board meeting is scheduled for
Wednesday November 8, 2006 at
12:30 PM Conference Room “C”, 2nd Floor, One Capitol Hill.**

**(K) Adjournment: A motion was made by Mr. Furey and seconded by
Mr.**

Gianlorenzo to adjourn at 3:50 PM.

**Members Present: E. Ladouceur, S. Gianlorenzo, D. Caldwell,
T. Furey, B. Calcagni, A. Salisbury, R. Cardoza and P. Brunetti**

Members Absent: F. Carlone, M. Turkel, J. Pesce and D. Gagnon

**Others Present: George Whalen (Executive Director), Kathryn Ryan
(Legal Counsel),**

stenographer, parties for Appeals.

Respectfully Submitted,

**George W. Whalen, Executive Director
Contractors' Registration Board**

GWW/man